

III. Amendments to the Drawings

A replacement sheet for Figure 1 is attached. As requested by the Examiner, Figure 1 has been amended to improve line quality.

IV. Remarks

Reconsideration and re-examination of this application in view of the above amendments and the following remarks is herein respectfully requested.

After entering this amendment, claims 1-8, 11 and 12 remain pending.

Amendments to the Drawings

Figure 1 was objected to because of the line quality of Figure 1. Figure 1 of the drawing has been amended to improve the line quality. It is believed that the changes to Figure 1 have obviated the Examiner's objection.

Specification

In the Office Action, the Examiner objected to the abstract of the disclosure. More specifically, the original abstract of the disclosure utilized phrases which can be implied. The abstract of the disclosure has been amended to remove phrases which can be implied. It is respectfully submitted that no new matter has been introduced into the application.

Claim Rejections - 35 U.S.C. § 102(b)

Claims 1-8, 11 and 12 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,453,591, to Fehr ("Fehr"). Applicant respectfully traverses these rejections.

The Examiner stated that Fehr discloses a vehicle temperature system including a housing having an intake duct opening and an output opening, an evaporator core, a heater core downstream from the evaporator core, and a

separation wall having a first and second end. As to the separation wall, the Examiner states that the first end of the separation wall is attached to a first portion of the heater core and extends along the length of the heater core.

Claim 1 has been amended to include the limitation of the separation wall extending along the length of the heater core *towards the output* in the space between the evaporator core and the heater core. Unlike the present claimed invention, the separation wall of Fehr (second air deflector 14) extends away from, and not towards, the output (air discharges 2, 4). From this, it is submitted that Fehr fails to disclose all the elements claimed in newly amended claim 1. The rejection based thereon should be accordingly withdrawn.

With respect to claims 2-8, 11 and 12, these claims are dependent on claim 1 and therefore are patentable for at least the same reasons as given above in support of claim 1. Accordingly, allowance of these claims is respectively requested.

The Examiner rejected claim 8 under 35 U.S.C. § 102(b) as being anticipated by Fehr but did not reveal where the separation wall of Fehr (second air deflector 14) defines a mixing channel for mixing cold air and hot air, the mixing channel being downstream and in fluid communication with the cold air portion and the hot air portion as claimed in claim 8. For hot air and cold air to mix, hot air and cold air must first be generated by the heater core and condenser, respectively. Logically, the mixing area for the hot air and cold air generated by the heater core and condenser must be downstream from *both* the heater core and the condenser. The separation wall of Fehr (second air deflector 14) is downstream of the condenser (evaporator 1) but *upstream* of the heater core

(heat exchanger 11). Therefore, the separation wall of Fehr (second air deflector 14) cannot define a mixing channel for mixing cold air and hot air. In Fehr, the hot air and cold air are mixed in a mixing area near the air deflector 8 and not in an area defined by the second air deflector 14.

Claim 8 has been rewritten in independent form and is therefore allowable for at least the same reasons given in support of claim 8. Accordingly, allowance of claim 8 and its dependant claims 11 and 12 is respectively requested.

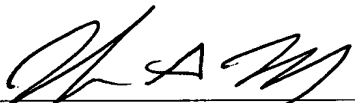
Conclusion

In view of the above amendments and remarks, it is respectfully submitted that the present form of the claims are patentably distinguishable over the art of record and that this application is now in condition for allowance. Such action is requested.

Respectfully submitted,

March 29, 2006

Date


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Attachments: One (1) sheet of replacement drawings